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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/895,096	06/29/2001	Rabindranath Dutta	AUS920010423US1	6741
34533	7590	07/15/2004	EXAMINER	
IBM CORP (BLF) c/o BIGGERS & OHANIAN, LLP 504 LAVACA STREET, SUITE 970 AUSTIN, TX 78701-2856			BAYAT, BRADLEY B	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/895,096

Applicant(s)

DUTTA ET AL.

Examiner

Bradley Bayat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/12/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Status of Claims

Applicant amendment dated April 27, 2004 has been received and claims 1-42 remain pending and are again presented for examination.

Response to Arguments

Applicant's arguments filed April 27, 2004 have been fully considered but they are not persuasive.

The applicant's arguments are mainly based on the belief that the automated efficient uniform travel system taught by the combination of Seigel and Walker is not the same as "facilitating customs planning and clearance" as claimed. Examiner respectfully disagrees because Walker teaches facilitating customs planning and clearance by providing information regarding governmental regulatory requirements for import/export (§ 86-88).

The applicant further indicates that there is no suggestion or motivation to combine the teaching of Seigel and Walker. The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would be required to abide by the customs laws and statutes in implementing any personalizing and customizing travel system so as to comply with governmental regulations. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the personalizing and customizing

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travel system of Seigel to include the feature of facilitating custom planning and clearance as taught by Walker because each country establishes and enforces its own laws with regards to import and export of goods.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seigel et al. (hereinafter Seigel), U.S. Patent Application Publication 2001/0051876 A1 in view of Walker et al. (hereinafter Walker), U.S. Patent Application Publication 2002/009535 A1.

1. Seigel discloses creating a server, in response to a signal communicated through a client device coupled for data communications through at least one Internet connection to another server (§5, 53-57). Seigel does not explicitly teach the use of an international customs database server for submitting customs declaration forms to international destinations. Walker discloses a computer implemented international trade system that discloses a international database server that provides information regarding international/governmental regulatory requirements and documentation necessary for the import of export of goods that must be submitted to the customs authority (§45-59; 87). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Seigel's system and method for personalizing, customizing and

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distributing geographically distinctive products and travel information with Walker's computer implemented international trade system in order to provide an automated, efficient and uniform travel system to a busy traveler.

2. Seigel further discloses the method of claim 1 wherein the client device is a workstation in a kiosk at an airport (§60).

3. Seigel further discloses the method of claim 1 wherein the client device is a workstation installed in the back of a passenger chair in an airplane (§60).

4. Seigel further discloses the method of claim 1 wherein the client device is a personal computer (§53).

5. Seigel further discloses the method of claim 1 wherein the client device is a hand-held personal data administrator (§16).

6. Seigel further discloses the method of claim 1 wherein the at least one Internet connection is wireless (§16).

7. Seigel discloses creating a server, in response to a signal communicated through a client device coupled for data communications through at least one Internet connection to another server (§5, 53-57). Seigel does not explicitly teach the method of claim 1 wherein the customs

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planning record comprises customs data describing goods for import, the customs data including identification of an importer and of a destination country. Walker teaches a customs planning record comprises customs data describing goods for import, the customs data including identification of an importer and of a destination country (§80, 86-87). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Seigel's system and method for personalizing, customizing and distributing geographically distinctive products and travel information with Walker's computer implemented international trade system in order to ensure proper compliance with regulations and fees associated with imported goods.

8, 12-14. Seigel discloses creating a server, in response to a signal communicated through a client device coupled for data communications through at least one Internet connection to another server (§5, 53-57). Seigel does not explicitly teach the method of claim 1 wherein the international customs server is a software application installed and operating on one or more computers, the software application further comprising software routines storing and retrieving customs planning records, validating goods described in customs planning records against customs regulations stored in customs regulations databases, and submitting to customs databases declaration forms prepared in dependence upon the customs planning records. Walker teaches an international customs server is a software application installed and operating on one or more computers, the software application further comprising software routines storing and retrieving customs planning records, validating goods described in customs planning records against customs regulations stored in customs regulations databases, and submitting to customs databases declaration forms prepared in dependence upon the customs planning records (§64-96).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Seigel's system and method for personalizing, customizing and distributing geographically distinctive products and travel information with Walker's computer implemented international trade system in order to ensure compliance with international regulations and customs requirements uniformly.

9, 10. Seigel discloses creating a server, in response to a signal communicated through a client device coupled for data communications through at least one Internet connection to another server (§5, 53-57). Seigel does not explicitly teach the method of claim 1 wherein creating in dependence upon the customs planning record a customs declaration form for the destination country further comprises reading customs data from a customs planning record and inserting the read customs data into a declaration form. Walker teaches creating in dependence upon the customs planning record a customs declaration form for the destination country further comprises reading customs data from a customs planning record and inserting the read customs data into a declaration form and validating such data (§87-88). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Seigel's system and method for personalizing, customizing and distributing geographically distinctive products and travel information with Walker's computer implemented international trade system in order to transfer data seamlessly and efficiently from user input and populate the required forms for submission and avoid possible errors by user input each time.

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Claims 15-28 and 29-42 are directed to a system and computer program of the above claimed invention and are therefore rejected on similar grounds as above.

Examiner has pointed out particular references contained in the prior arts of record in the body of this action for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the response, to consider fully the entire references as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior arts or disclosed by the examiner.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

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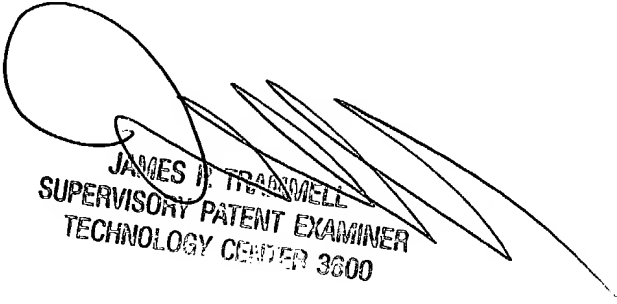
- US Patent Application Publication 2002/0069095 A1 to Nishio et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Bayat whose telephone number is 703-305-8548. The examiner can normally be reached on Tuesday-Friday during normal business hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bbb


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